

STATE OF ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD

Minutes of the Meeting held on October 20, 2011
At 160 N. LaSalle Street, Chicago, Illinois

I. OPENING OF THE MEETING AT 10:00 A.M.

The meeting opened in Room C-600 at 160 N. LaSalle Street, Chicago, Illinois

II. PRESENT

Chairman Lynne Sered; Board Members Ronald Ettinger, Gilbert O'Brien and Michael Prueter; Executive Director Victor Blackwell; General Counsel Helen Higgins; staff members Ellen Strizak and Susan Willenborg; and numerous observers were present. Board Member Michael Smith participated via telephone conference call.

III. ORAL ARGUMENT

Chicago Board of Education/Chicago Teachers Union
Case No. 2012-CA-0009-C

Chairman Sered called for counsel for the parties to engage in oral argument. Counsel for the parties participated in oral argument. After the conclusion of the oral argument, Chairman Sered asked for a motion for the Board to seek preliminary injunctive relief. Board Member Ettinger so moved, and Member Prueter seconded. The Board voted unanimously to seek preliminary injunctive relief, by voice vote. Chairman Sered stated that a written decision would issue that day or by the end of the week. Chairman Sered also stated that the Board's meeting would continue in the Board's conference room downstairs.

IV. RESUMPTION OF MEETING

The meeting resumed at the Board's office at 160 N. LaSalle Street, Suite N-400. Chairman Lynne Sered; Board Members Ronald Ettinger, Gilbert O'Brien and Michael Prueter; Executive Director Victor Blackwell; General Counsel Helen Higgins; staff members Ellen Strizak and Susan Willenborg; extern Brandon Baseman; and observers Ava Hairston of the Illinois Federation of Teachers, Joann Lum of the Illinois Education Association and Colin Theiss of AFSCME were present. Staff member Cindy Handy participated via telephone conference call from the Board's Springfield office. Board Member Michael Smith also participated via telephone conference call.

V. APPROVAL OF MINUTES OF MEETING HELD SEPTEMBER 15

Chairman Sered called for approval of the minutes of the September 15, 2011 meeting. Member Prueter moved to approve the minutes of the September 15, 2011 meeting. Member O'Brien seconded the motion. The Board passed the motion unanimously, by a voice vote.

VI. BOARD ACTIONS

1. Chicago Board of Education/Chicago Teachers Union Case No. 2011-CA-0009-C

Chairman Sered called the case. Staff had presented the Board with two drafts of an Opinion and Order, one draft seeking preliminary injunctive relief and one declining the union's request that the Board seek Section 16(d) relief. After discussion, pursuant to the voice vote previously conducted immediately following the completion of the parties' oral arguments, Chairman Lynne Sered called for a motion to approve the draft seeking preliminary injunctive relief. Board Member Ettinger moved to approve the draft, and Member Prueter seconded the motion. The Board voted unanimously to approve the draft as written, by a voice vote.

2. Prairie State College/Illinois Council of Police Case No. 2011-RC-0008-C

Chairman Sered called the case. Staff presented two versions of a draft Opinion and Order, one affirming the Administrative Law Judge's Recommended Decision and Order excluding a position from the proposed bargaining unit and one reversing the Recommended Decision and Order. After discussion, Chairman Sered called for a motion to approve the version of the draft Opinion and Order affirming the Administrative Law Judge's Recommended Decision and Order. Board Member Michael Prueter so moved, and Member Smith seconded the motion. The Board unanimously voted to approve the draft Opinion and Order affirming the Administrative Law Judge's Recommended Decision and Order, by a voice vote.

3. McClellan County Unit District No. 5/AFSCME Council 31, AFL-CIO/Meet & Confer Committee Case No. 2011-RC-0010-S

Chairman Sered called the case. Staff presented a draft of an Opinion and Order affirming an Executive Director's Recommended Decision and Order dismissing objections to an election. After discussion, Chairman Sered called for a motion to approve the draft. Board Member Ettinger so moved, and Member Prueter seconded the motion. The Board voted unanimously to approve the draft, by a voice vote.

4. Chicago Board of Education/Chicago Teachers Union Case No. 2011-CA-0020-C

Chairman Sered called the case. Staff presented two versions of a draft Opinion and Order, one affirming the Administrative Law Judge's Recommended Decision and Order denying the employer's motion to vacate the default in this case and one reversing the Administrative Law Judge's Recommended Decision and Order. After discussion, Chairman Sered called for a motion to approve the draft version of the Opinion and Order reversing the Administrative Law Judge's Recommended Decision and Order and granting the employer's motion to vacate the default. Board Member Prueter so moved, and Member Ettinger seconded the motion. The Board voted unanimously to approve the draft Opinion and Order reversing the Administrative Law Judge's Recommended Decision and Order and granting the employer's motion to vacate the default, by a voice vote.

5. **Board of Trustees of the University of Illinois/UIC United Faculty, AFT-IFT, AAUP**
Case No. 2011-RC-0011-C

Chairman Sered called the case. Staff presented a draft of an Order denying the employer's motion to stay its Opinion and Order pending Appellate Court proceedings. After discussion, Chairman Sered called for a motion to approve the draft. The motion was made and seconded. The Board voted 4-0 to approve the draft Order, by a voice vote. Board Member Ettinger recused.

6. **UNITE-HERE, Local 1/Rashawn Colbert**
Case No. 2011-CB-0022-C

McHenry Community Consolidated Schools District 15/Linda Stetz
Case No. 2010-CA-0128-C
McHenry Education Association, IEA-NEA/Linda Stetz
Case No. 2010-CB-0039-C

Chairman Lynne Sered called the cases. These were unappealed Executive Director's Recommended Decisions and Orders. General Counsel Helen Higgins presented the cases. Chairman Sered called for a motion for the Board to decide not to take up these cases on its own motion and to issue final orders. Member Ettinger so moved, and Member Prueter seconded the motion. The Board voted unanimously, by a voice vote, not to take up any of these cases on its own motion and to issue final orders.

VII. PRESS RELEASE

The Board discussed the issuance of a press release summarizing its decision to seek preliminary injunctive relief in Chicago Board of Education/Chicago Teachers Union, Case No. 2012-CA-0009-C.

VIII. PROPOSED ADDITION TO MEDIATION ROSTER

General Counsel Helen Higgins presented the proposed addition of Susan J.M. Bauman to the Board's mediation roster.

IX. BUDGET AND FISCAL

Fiscal Officer Cindy Handy and Executive Director Victor Blackwell presented an update on budget and fiscal matters, which included a discussion of the FY 2012 budget and preparations for the proposed FY 2013 budget.

X. CASE STATUS REPORT

Executive Director Victor Blackwell presented a case status report.

XI. STRIKE REPORT

Executive Director Victor Blackwell presented a strike report update.

XII. LEGISLATIVE UPDATE

Chairman Lynne Sered presented a legislative update.

XIII. LITIGATION UPDATE

General Counsel Helen Higgins presented a litigation update.

XIV. CHICAGO-KENT CONFERENCE

Chairman Lynne Sered and Executive Director Victor Blackwell notified the Board of the Illinois Public Sector Labor Relations Law Conference to be held at Chicago-Kent College of Law on December 2, 2011.

XV. ADJOURNMENT

Chairman Sered called for a motion to adjourn. Board Member Ettinger so moved, and Member O'Brien seconded the motion. The Board voted unanimously to approve the motion to adjourn the meeting, by a voice vote.

**ADOPTED AND APPROVED BY THE CHAIRMAN AND MEMBERS OF THE ILLINOIS
EDUCATIONAL LABOR RELATIONS BOARD THIS 17th DAY OF NOVEMBER 2011.**